



PLANNING DIVISION STAFF REPORT

October 19, 2020

PREPARED FOR THE PLAN COMMISSION

Project Address: 202-212 S. Baldwin Street (6th Aldermanic District, Alder Rummel)
Application Type: Demolition Permit
Legistar File ID # [62095](#)
Prepared By: Chris Wells, Planning Division
Report Includes Comments from other City Agencies, as noted
Reviewed By: Kevin Firchow, AICP, Principal Planner

Summary

Applicant & Contact: Mike Sturm; City of Madison Parks Division; 210 Martin Luther King, Jr. Boulevard; Madison, WI 53703

Property Owner: City of Madison Parks Division, Eric Knepp – Parks Superintendent; 210 Martin Luther King, Jr. Boulevard; Madison, WI 53703

Requested Action: The applicant requests approval of a demolition permit to raze three existing commercial buildings in order to expand McPike Park at 202-212 S. Baldwin Street.

Proposal Summary: The applicant proposes to demolish three of the four commercial buildings in order to expand the city park.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)]. It is also subject to MGO §28.095, which pertains to development in the Parks and Recreation (PR) zoning district.

Review Required by: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find that the standards for demolition permits are met and **approve** the demolition permit request to raze three existing commercial buildings in order to expand McPike Park at 202-212 S. Baldwin Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Background Information

Parcel Location: The buildings proposed for demolition sit on two separate parcels (202 S. Baldwin Street and 214 S. Baldwin Street) which are separated by a roughly 66-foot-wide parcel (1210 E. Wilson Street). (See the following section for a diagram showing the boundaries of these three parcels) The three parcels are all located to the west of the intersection of S. Baldwin Street and E. Wilson Street. The 214 S. Baldwin Street parcel is 28,848 feet (0.66 acres) in size, triangular-shaped, and immediately abuts the intersection, while the 45,290-square-foot (1.04-acre) 202 S. Baldwin Street parcel is rectilinearly shaped and located further to the west, adjacent to the railroad tracks. The sites fall within Aldermanic District 6 (Ald. Rummel) and within the Madison Metropolitan School District.

Existing Conditions and Land Use: The 202 and 214 S. Baldwin Street sites are both zoned Traditional Employment (TE) District while the central parcel (at 1210 E. Wilson Street) is zoned Parks and Recreation (PR) District. The two Baldwin sites are almost entirely paved while the E. Wilson parcel is almost entirely grass.

The more easterly parcel, generally addressed as 214 S. Baldwin Street, is developed with three commercial structures - two of which are proposed to be razed. The first, addressed at 210 S. Baldwin Street, is a roughly 2,500-square-foot, office/storage building constructed of concrete masonry block and timber. It is estimated to have been constructed in the 1930's and is proposed to be demolished. The second, also proposed to be demolished, is a roughly 1,000-square-foot, single-story, office building addressed at 212 S. Baldwin Street. It is also constructed of a combination of concrete masonry block and timber. The year of construction is estimated to be roughly 1908. The third building on the site, located along the E. Wilson Street frontage, is addressed as 214-222 S. Baldwin Street. It is believed to have been constructed in the 1930's and is not proposed for demolition.

The more westerly parcel, generally addressed as 202 S. Baldwin Street, has a single building - an 18,700-square-foot, mini storage building which is addressed as 202-208 S. Baldwin Street and is proposed for demolition. According to submitted materials, it is a pre-manufactured steel and timber building in the Trachte style. The year of original construction is believed to be in the mid 1950's. It is uninsulated and has no sanitary sewer service.

Surrounding Land Use and Zoning:

Northwest: Railroad tracks zoned Parks and Recreation (PR) District, beyond which is the skateboard park in McPike Park (zoned PR) and an industrial warehouse building zoned Traditional Employment (TE) District;

Northeast: An 18-unit apartment building, an office building, and a single-family residence, all zoned Neighborhood Mixed-Use (NMX) District; and single-family residences, zoned Traditional Residential-Consistent 4 (TR-C4) District;

Southeast: Two 10-unit apartment buildings zoned Traditional Residential-Urban 1 (TR-U1) District; commercial buildings in the NMX District; and single family-residences zoned TR-C4 and PD (Planned Development) District; and

Southwest: McPike Park, zoned TE.

Adopted Land Use Plans: The [Comprehensive Plan](#) (2018), the [Central Park Master Plan](#) (2011), and the [East Rail Corridor Plan](#) (2004) which recommend park uses for the subject property, as described above.

The [Comprehensive Plan](#) (2018) recommends Park (P) land uses for the subject parcels. Older plans provide different land use recommendations for the subject site.

Zoning Summary: The property is zoned Traditional Employment (TE) District.

Requirements	Required	Proposed
Lot Area (sq. ft.)	6,000 sq. ft.	111,315 sq. ft.
Lot Width	50'	More than 50'
Front Yard Setback	None	None
Side Yard Setback: Other cases	None unless needed for access	None
Rear Yard Setback	Lesser of 20% lot depth or 20'	Adequate
Maximum Lot Coverage	85%	Less than 85%
Minimum Building Height	22' measured to building cornice	1 story building to remain
Maximum Building Height	5 stories/ 68'	1 story building to remain
Lot Area (sq. ft.)	6,000 sq. ft.	111,315 sq. ft.
Other Critical Zoning Items:	Utility Easements	

Tables Prepared by Jenny Kirchgatter, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located in a mapped environmental corridor.

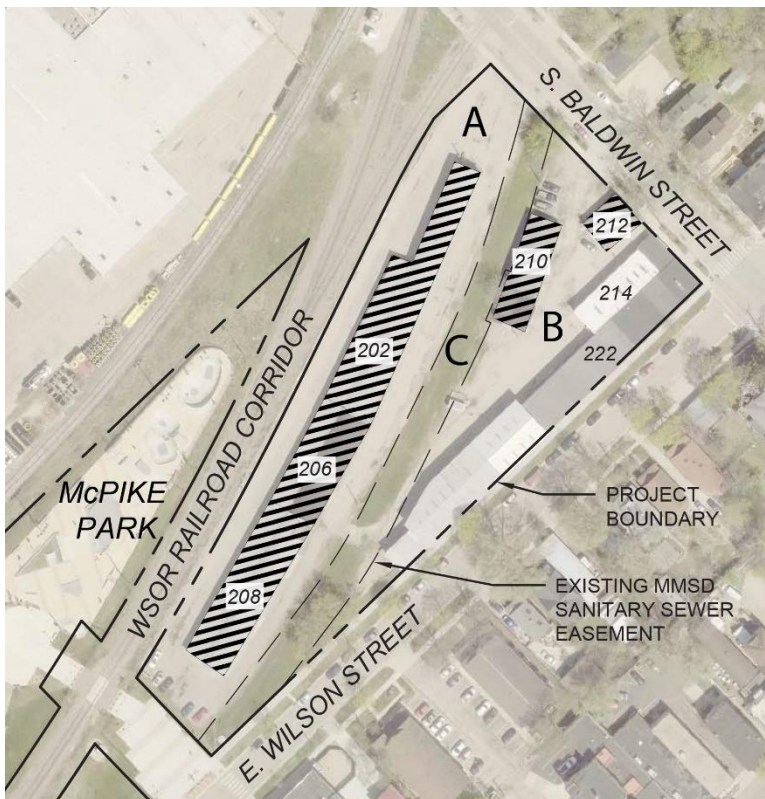
Public Utilities and Services: This property is served by a full range of urban services.

Project Description

The applicant requests approval of a demolition permit to raze the three of the four commercial structures on the parcels generally addressed as 202 and 214 S. Baldwin Street sites.

The more easterly parcel, generally addressed as 214 S. Baldwin Street (labeled as “B” in the image below), has three commercial structures - two of which are proposed to be razed. The first, addressed at 210 S. Baldwin Street, is a roughly 2,500-square-foot office/storage building constructed of concrete masonry block and timber. The year of construction is estimated to be in the mid 1930’s. Submitted photos of all structures proposed for demolition are available for viewing [here](#). For the structure at 210 S. Baldwin Street, the photos show a dated building in below average condition with signs of interior weather damage. In submitted materials the applicant notes that *“the building has limited potential for adaptive reuse for park purposes given its configuration and condition.”*

Image 1 – Proposed Demolitions



The three parcels which make up the subject site: (A) the 202 S. Baldwin Street parcel; (B) the 214 S. Baldwin Street parcel; and (C) the 1210 E. Wilson Street parcel.

The other building proposed for demolition is a roughly 1,000-square-foot, single-story, office building addressed at 212 S. Baldwin Street. It is also constructed of a combination of concrete masonry block and timber. The year of construction is estimated to be roughly 1908. While submitted photos show a dated building in below average condition, in submitted materials the applicant notes that *“the building has limited potential for adaptive reuse for park purposes given its configuration and condition.”*

Please note that the most southerly building on the lot, addressed as 214-222 S. Baldwin Street, and running the length of the E. Wilson Street frontage, is not proposed for demolition. Rather, the Parks Division plans to further evaluate its potential for reuse as a park amenity.

The more westerly parcel, generally addressed as 202 S. Baldwin Street (labeled as “A” in the image above), has a single building - an 18,700-square-foot, mini storage building which is addressed as 202-208 S. Baldwin Street and is proposed for demolition. According to submitted materials, it is a pre-manufactured steel and timber building in the Trachte style. The year of original construction is believed to be in the mid 1950’s. It is uninsulated and has no sanitary sewer service. The applicant has indicated that an adaptive reuse of the structure is limited due to its location at a low point on the site. The threat of damage due to flooding is difficult to improve given that the site does not drain well due the fact that the existing storm sewer pipes, located beneath the two adjacent streets, both lie at a higher elevation than that of the site. That said, the applicant has noted that they are open to working with private parties interested in relocating all or portions of the building to another, non-City-owned, site.

The applicant has also noted in their submitted materials that the other reason why the 202-208 S. Baldwin Street building needs to be razed is the fact that in exchange for approval to construct a pedestrian crossing over the Wisconsin Southern Railroad (WSOR) railroad tracks at S. Few Street, the Wisconsin Department of Transportation (WisDOT) is requiring the City to grant a new, wider, permanent easement along the tracks as they pass through the park. Relatedly, Wisconsin Department of Transportation (WisDOT) is also requiring the City to construct a permanent safety fence along the length of the easement and since the 202-208 building falls within this area, it must therefore be removed.

Analysis and Conclusion

This proposal is subject to the standards for Demolition and Removal Permits [MGO §28.185(7)]. It is also subject to MGO §28.095, which pertains to development in the Parks and Recreation (PR) zoning district.

Conformance with Adopted Plans

The [Comprehensive Plan](#) (2018) recommends park and recommendation uses for the subject properties.

The [Central Park Master Plan](#) (2011) specifically recommends the subject parcels for parks and open space. Adopted in the 2011, the Plan specifically recommended the parcel be acquired and incorporated into the park. In reference to the subject parcel, on Page V it states, *“Not only is acquisition of this parcel crucial for the park itself, but also the [adopted plan design] designates this area as the site for a future light rail stop and alternative transportation hub. [...] Given the value and relative scarcity of green space in the Central Isthmus, the Task Force strongly recommends minimizing the size of any parking facility that might accompany a future light rail station.”* The rail stop referenced would have been served by a high-speed passenger rail line between Madison and Milwaukee whose creation was under discussion during the formation of this Plan. While such a transportation system is highly unlikely at present time, the applicant points out that the subject property will still incorporate transportation-related elements such as a multi-modal path (roughly following the rail road tracks), and bicycle infrastructure such as a bicycle sharing station, bicycle repair station and bicycle parking.

The [East Rail Corridor Plan](#) (2004) recommends the subject parcels for parks and open space - specifically that it become part of the *Baldwin-Ingersoll Urban Square* – a large urban square (park) which would comprise the entire two-block area between Baldwin Street and Ingersoll Street, from Railroad Street to East Wilson Street.

Older plans provide different land use recommendations. The [Marquette Neighborhood Center Master Plan](#) (2000) generally recommends the subject parcels for transit-oriented housing and mixed-use development (identified on Page 26 as *“Wilson Street Redevelopment”*.) While the [Marquette-Schenk-Atwood Neighborhood Plan](#) (1994) makes no specific recommendations about the subject parcels, one of the Plan’s primary park and open space recommendations is to “aggressively” pursue opportunities for parkland development along the East Rail corridor.

Demolition and Removal Standards

As noted in MGO Section 28.185(7), the Plan Commission must find that the requested demolition and proposed use are compatible with the purpose of the demolition section and the intent and purpose of the Parks and Recreation (PR) zoning district. The Statement of Purpose for the PR District says:

The Parks and Recreation District is established to accommodate active outdoor and indoor recreation uses and facilities such as golf course, stadiums, swimming pools, community centers, large recreation structures, recreational complexes, and similar uses where lands are developed to accommodate said recreational uses, and may also include areas for natural preservation and passive enjoyment of natural features.

Furthermore, the proposal should be compatible with adopted plans. The Plan Commission shall consider and give decisive weight to any relevant facts, including but not limited to impacts on normal and orderly development, efforts to relocate the existing building(s), and the limits that the location of the building(s) would place on efforts to relocate it/them. The Planning Division believes the proposed demolition and expansion of McPike Park is consistent with the [Comprehensive Plan](#) (2018), the [Central Park Master Plan](#) (2011), and the [East Rail Corridor Plan](#) (2004) which recommend park uses for the subject property, as described above.

Finally, the Plan Commission shall also consider any reports from the Landmark Commission and Historic Preservation Planner when determining whether the demolition standards are met.

Regarding the building proposed for demolition, Staff note that at their June 1, 2020 meeting, the Landmarks Commission found that the building *“has historic value related to the vernacular context of Madison’s built environment and industrial character, and the applicants should document the buildings prior to demolition and explore salvage or relocation.”* The following are the notes of the Landmark Commission’s discussion of the demolition from its June 1 minutes:

“Regarding 202-208, 210, and 212 S Baldwin Street, [Preservation Planner Heather] Bailey said that the properties are owned by City Parks, which intends to convert the site to turf. At 202-208 S Baldwin Street, she pointed out the series of early Trachte buildings with shed roof extensions that are sited parallel to the former railroad spur and existing rail line. She said that they appear on a 1950 Sanborn map and 1955 aerial and appear to have been constructed by the railroad on this site. Regarding 210 S Baldwin Street, Bailey said that it appears in a 1937 aerial and 1942 Sanborn map. She said that it was part of a bulk oil station for the railroad and was also where vehicles servicing the railroad would come in and service the oil station. She said that 212 S Baldwin Street appears on a 1908 Sanborn map as the office and scales for Conklin & Sons Coal and Wood and by 1950, as the office of Lumberman’s Supply.

Bailey said that she would recommend demolition criterion B for these properties as they relate to the vernacular context of Madison’s built environment, particularly to the more industrial railroad heritage. She said that there aren’t a lot of properties that convey that particular history, which is not the pretty railroad history one sees in passenger depots, but a more functional type of resource of which not many remain. She continued that the buildings themselves retain integrity to be able to convey those historic associations and their orientation to the existing rail line and former spur that ran between the buildings. She said that to an extent, they are a rare remaining resource, but they don’t reach the level of significance for demolition criterion C.

[Landmark Commission Chair] Andrzejewski asked Bailey if they could provide additional guidance such as requesting photographic documentation. Bailey said they could recommend documentation and exploration of salvage or relocation, as they’ve done in the past. She said that these properties were not included in previous surveys of the area, so we don’t have a lot of information or documentation related to their history.”

With the Landmark Commission’s recommendation regarding the documentation of the buildings prior to demolition and explore salvage or relocation as part of their recycling plan added to the conditions of approval, Staff believes the Plan Commission can find the demolition standards are met with this proposal.

Conclusion

The Planning Division believes that the proposed demolition and expansion of McPike Park can be found to meet the standards of approval for demolition permits. Staff believe the proposed future use is compatible with the Statement of Purpose of the Parks (P) District and, as mentioned above, that it is consistent with vast majority of adopted plan recommendations. Staff also recognize the age, condition, and location of the three buildings and the net effect that these factors have on limiting any adaptive reuse. Staff do note that the applicant is already exploring an adaptive reuse of the fourth building on the site (214-222 S. Baldwin Street), and is willing to work with private parties to explore relocation of any of the three structures off site. Lastly, Staff note the motion made by the Landmarks Commission and the incorporation of their findings into this staff report (and associated conditions of approval).

Public Input

At the time of report writing, staff is unaware of any comments from the public.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find that the standards for demolition permits are met and **approve** the demolition permit request to raze three existing commercial buildings to expand McPike Park at 202-212 S. Baldwin Street. This recommendation is subject to input at the public hearing and the conditions recommended by the reviewing agencies.

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

Planning Division (Contact Chris Wells, (608) 261-9135)

1. Per the recommendation of the Landmarks Commission, the applicants shall document the buildings prior to demolition and explore salvage or relocation as part of their recycling plan

Engineering Division (Main Office) (Contact Tim Troester, (608) 267-1995)

2. The property is an open contaminant site with the WDNR (BRRTS #02-13-578063 SANDS PROPERTIES). Submit proof of coordination with the WDNR to remediate the site and address residual contaminant concerns associated with the proposed site plan (e.g. vapor mitigation, dewatering) to Brynn Bemis (608.267.1986, bbemis@cityofmadison.com).

3. An Erosion Control Permit is required for this project. See Storm comments for permit specific details and requirements.

4. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
5. This site appears to disturb over one (1) acre of land and requires a permit from the WDNR for stormwater management and erosion control. The City of Madison has been required by the WDNR to review projects for compliance with NR216 and NR-151 however a separate permit submittal is still required to the WDNR for this work. The City of Madison cannot issue our permit until concurrence is obtained from the WDNR via their NOI or WRAPP permit process. Contact Eric Rortvedt at 273-5612 of the WDNR to discuss this requirement. Information on this permit application is available on line: <http://dnr.wi.gov/Runoff/stormwater/constrformsinfo.htm>. The applicant is notified that the City of Madison is an approved agent of the Department of Safety and Professional Services (DSPS) and no separate submittal to this agency or CARPC is required for this project to proceed.
6. This project falls in the area subject to increased erosion control enforcement as authorized by the fact that it is in a TMDL ZONE and therefore will be regulated to meet a higher standard.
7. This project will disturb 20,000 sf or more of land area and require an Erosion Control Plan. Please submit an 11" x 17" copy of an erosion control plan (pdf electronic copy preferred) to Megan Eberhardt (west) at meberhardt@cityofmadison.com, or Daniel Olivares (east) at daolivares@cityofmadison.com, for approval.

Demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. Include Universal Soil Loss Equation (USLE) computations for the construction period with the erosion control plan. Measures shall be implemented in order to maintain a soil loss rate below 5.0 tons per acre per year. The WDNR provided workbook to compute USLE rates can be found online at <https://dnr.wi.gov/topic/stormwater/publications.html>

Complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website - as required by Chapter 37 of the Madison General Ordinances.

8. Submit, prior to plan sign-off but after all revisions have been completed, a digital CAD file (single file) to the Engineering Division that is to scale and represents final construction with any private storm and sanitary sewer utilities.
9. Submit, prior to plan sign-off but after all revisions have been completed, digital PDF files to the Engineering Division. Email PDF file transmissions are preferred to: bstanley@cityofmadison.com (East) or ttroester@cityofmadison.com (West).

Engineering Division (Mapping) (Contact Jeffrey Quamme, (608) 266-4097)

10. Add 202-212 S Baldwin St to the project address sheet descriptions. The 202 S Ingersoll St parcel is not part of any demolitions. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records.

Traffic Engineering (Contact Sean Malloy, (608) 266-5987)

11. All existing driveway approaches on which are to be abandoned shall be removed and replaced with curb and gutter and noted on the plan.

Zoning Administrator (Contact Jenny Kirchgatter, 266-4429)

12. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson at streets@cityofmadison.com. Every person who is required to submit a reuse and recycling plan pursuant to Section 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition. A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

13. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Paul Ripp at pripp@cityofmadison.com or (608) 712-6277.

Forestry Division (Contact Brad Hofmann, (608) 267-4908)

14. Damaging Contractor shall take precautions during construction to not disfigure, scar, or impair the health of any street tree. Contractor shall operate equipment in a manner as to not damage the branches of the street tree(s). This may require using smaller equipment and loading and unloading materials in a designated space away from trees on the construction site. Any damage or injury to existing street trees (either above or below ground) shall be reported immediately to City Forestry at 266-4816. Penalties and remediation shall be required. Add as a note on the plan set.
15. Excavation As defined by the Section 107.13 of City of Madison Standard Specifications for Public Works Construction: No excavation is permitted within 5 feet of the trunk of the street tree or when cutting roots over 3 inches in diameter. If excavation is necessary, the Contractor shall contact Madison City Forestry (266-4816) prior to excavation. City of Madison Forestry personnel shall assess the impact to the tree and to its root system prior to work commencing. Tree protection specifications can be found on the following website: <https://www.cityofmadison.com/business/pw/specs.cfm> Add as a note on the plan set.
16. Protection On this project, street tree protection zone fencing is required. The fencing shall be erected before the demolition, grading or construction begins. The fence shall include the entire width of terrace and, extend at least 5 feet on both sides of the outside edge of the tree trunk. Do not remove the fencing to allow for deliveries or equipment access through the tree protection zone. Add as a note on the plan set.
17. Pruning Street tree pruning shall be coordinated with Madison Forestry at a minimum of two weeks prior to the start of construction for this project. All pruning shall follow the American National Standards Institute (ANSI) A300 - Part 1 Standards for pruning. Add as a note on the plan set.

18. Soil Section 107.13(g) of City of Madison Standard Specifications for Public Works Construction addresses soil compaction near street trees and shall be followed by Contractor. The storage of parked vehicles, construction equipment, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots within five (5) feet of the tree or within the protection zone is prohibited. Add as a note on the plan set.
19. Street All proposed street tree removals within the right of way shall be reviewed by City Forestry before the Plan Commission meeting. Street tree removals require approval and a tree removal permit issued by City Forestry. Any street tree removals requested after the development plan is approved by the Plan Commission or the Board of Public Works and City Forestry will require a minimum of a 72-hour review period which shall include the notification of the Alderperson within who's district is affected by the street tree removal(s) prior to a tree removal permit being issued. Add as a note on the plan set.
20. Tree An existing inventory of street trees located within the right of way shall be included on the landscape, site, demo, and utility plans. The inventory shall include the following: location, size (diameter at 4 1/2 feet), and species of existing street trees. The inventory should also note if a street tree is proposed to be removed and the reason for removal.
21. Planting Additional street trees are needed for this project. Tree planting specifications can be found in section 209 of City of Madison Standard Specifications for Public Works Construction - All street tree planting locations and tree species within the right of way shall be determined by City Forestry. A landscape plan (in PDF format) shall be submitted City Forestry for approval of planting locations and tree species. All available street tree planting locations shall be planted within the project boundaries. Add following note to plan: At least one week prior to street tree planting, Contractor shall contact City Forestry at (608) 266-4816 to schedule inspection and approval of nursery tree stock and review planting specifications with the landscaper.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

22. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

Parks Division (Ann Freiwald, (608) 243-2848)

The agency reviewed this request and has recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

The agency reviewed this request and has recommended no conditions of approval.